

DETAILED DESCRIPTION OF THE INVENTION

MBE SECRET WEAPON

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Definitions

- *Examinee*: person taking or preparing for the exam.
- *Subject Categorization Process*: the process for grouping test question numbers by legal subject category.
- *Legal Subject Category*: one of the six legal topic areas tested on the MBE.
- *Categorization Chart*: the handwritten chart that examinees can create for grouping test question numbers by legal subject category.
- *Call of the Question*: the question requirement that appears after the fact pattern and before the answer rational choices.
- *Answer Rational Choices*: the four answers and their associated rationales given at the end of the question in the form of A, B, C and D.
- *MBE Exam*: Standardized exam created by the NCBE consisting of two sets.
- *MBE Session (or “set”)*: 100 of the 200 MBE questions administered either in the morning or afternoon.
- *MBE Question Book*: the book handed out that contains the MBE questions.
- *Transfer*: to record the examinee’s circled answer choices from the MBE book to the MBE answer bubble sheet.
- *MBE Answer Bubble Sheet*: the one-page answer sheet that contains four alternative bubbles corresponding to A, B, C and D for every question. This sheet must be filled in for the test to be scored.
- *In numerical order*: how commercial MBE preparation courses recommend examinees answer questions.
- *Make Your Own Exams™ software*: Rigos copyrighted software used to practice the Rigos Subject Categorization Process.

MBE Overview

The Multi-State Bar Exam, or MBE^{TM1}, is a nationally-standardized, or “uniform,” bar examination used in the United States by almost all states as a part of the process to determine a candidate admission to the state bar. The National Conference of Bar Examiners (NCBE)² first developed and released the MBE in 1972 and continues to maintain the test.

The NCBE requires states to administer the MBE on the last Wednesday of July and/or the last Wednesday of February. The exam must be administered as the NCBE publishes it and may not be customized or changed. This differs from other NCBE exams, such as the Multistate Essay Exam (MEE), or Multistate Practice Tests (MPT), which may be customized or tailored by individual states. Individual states set their own state bar admission criteria based on variety of factors including the candidate’s MBE score.

The MBE consists of 200 multiple-choice questions administered in two 100-question sessions (or “sets”). Each session is three hours long, with one session in the morning and one session in the afternoon. MBE questions are presented to the examinee in a paper booklet form and answer choices are recorded by using a No. 2 pencil on a single page MBE answer bubble sheet. The MBE is not currently administered electronically.

MBE questions evaluate the examinee’s in-depth knowledge of six legal subject categories: (1) contract law including questions on the sale of goods governed by Article 2 of the Uniform Commercial Code, (2) tort law, (3) constitutional law, (4) criminal law including the rules of criminal procedure, (5) federal rules of evidence, and (6) real property law. A seventh legal subject category, civil procedure, is under consideration to be added. Each question focuses on just one legal subject category.

The NCBE determines the correct answers to MBE questions by referring to American Law Institute (ALI) publications, which are an aggregation of state law that consolidate case authority, statutes, and generally accepted legal principles throughout the United States. Therefore, the MBE does not test state-specific law. States must test state-specific law through other means, usually through essay exams.

Each MBE question consists of (1) an intricate fact pattern describing a situation where some legal uncertainty exists, followed immediately by (2) a specific question (“call of the question”) on a point of law that the examinee must answer, and (3) four possible answer rationales to choose from, labeled A, B, C and D. The examinee must select the best answer rational from the four possible answer rationales presented. The choice must be recorded on the answer bubble sheet. In the past, the MBE sometimes assigned multiple questions to a single fact pattern (i.e., a “series question”), however the

¹ MBE is a registered trademark of the National Conference of Bar Examiners

² www.ncbex.org

NCBE has moved away from that format for the MBE and currently has only one question per fact pattern.

Each of the six legal subject areas are asked approximately the same number of times, for an average of 15-17 questions per subject area per set of 100 MBE questions. It is usual for adjacent questions, when taken in numerical order, to be on different legal subject areas. It is very unlikely, for example, that two tort law questions will be adjacent to each other in the MBE exam.

The MBE has a well-deserved reputation as a very difficult examination requiring the examinee to have a detailed knowledge of the six legal subject categories. Each of the 100 questions in the session requires the examinee to think carefully through the entirety of the question's legal subject category. Therefore, this requires the examinee to mentally switch intellectual focus between the six legal subject categories up to 99 times if answering questions strictly in numerical order. The time constraint also increases MBE difficulty, with only 1 minute 48 seconds on average to read and answer each question. As a result, to prepare for this difficult exam, most examinees use a commercial MBE preparation program.

Commercial MBE Preparation Programs

Because of the MBE's comprehensive coverage of the six legal subject categories, and its severe time constraints, examinees should be fully familiar with the subject areas of law tested. They also should use the best strategies while taking the exam in order to achieve a high score. Preparing for the MBE often involves learning or re-learning the legal subject areas, creating legal outlines, answering sample questions, and taking sample tests under timed conditions. While taking the exam, the examinee's goals are to work steadily, accurately, and as quickly as possible during the 3-hour period.

Since the MBE introduction in 1972, many review courses have been available to help examinees prepare for the MBE. Although each course has its own distinct characteristic, they for the most part have three basic components: (1) a review of the areas of substantive law tested, (2) sample questions to solidify knowledge of the law, and (3) a series of practice exams, consisting of 100 questions to be completed within a three-hour period. Most of the major MBE preparation providers are:

Adaptibar	Emersons	PLI
Ameribar	Flemings Fundamentals	Reed's Multistate Bar
Bar secrets	of Law (California)	Review (Chicago)
BarBri	Kaplan/PMBR	Rigos
Barpassers	Micromash	Supreme
Barperfect	National	The Barcode
Barwrite	Pieper Bar Review	Themis
Celebration	(New York)	

The Traditional Process of Answering MBE Questions in Numerical Order is Not Optimal

MBE preparation courses assume that the examinee will answer MBE exam questions in numerical order, in other words to “take the questions as they come.” These preparation courses encourage the examinee to practice questions with randomized legal subject categories so the examinee can build speed and stamina when answering actual MBE exam questions in numerical order.

These preparation courses do not teach and train examinees to group questions based on legal subject categories (i.e., the disclosed subject categorization process). Some courses have even directly recommended against any method other than immediately answering the questions in numerical order. They use the rationale that given only 108 seconds per question on average (100 questions in an MBE session taken over three hours), anything that reduces the time directly spent on reading and answering a question will result in a lower overall score.³

Answering the MBE questions in numerical order has the disadvantages of diminished speed and accuracy because of the mental exhaustion involved in having to switch detailed legal thought so many times during an MBE session. Because numerically adjacent questions are very unlikely to cover the same legal subject category, the examinee’s mind has to intellectually shift legal subject focus from one legal subject onto another, for example from the law of torts to the law of property, as many as 99 times per MBE session. These constant mental shifting results in decreased focus and concentration, increased fatigue, and therefore a lower score than could otherwise be achieved with the same level of legal knowledge. Examinee performance would be improved if the examinee could focus on just one legal subject category at a time and make the mental shift only six times during the entire MBE exam.

The Rigos Subject Categorization Process for the Multistate Bar Exam

Using the Rigos Subject Categorization Process for the Multistate Bar Exam, the examinee analyzes all 100 MBE questions and categorizes and records each question into one of the six legal subject categories tested. The examinee then answers all questions within a single subject category before moving on to the next subject category. Finally, the examinee then verifies each answer is correctly marked on the MBE answer bubble sheet. Embodiments are shown in figure 4, figure 5, and figure 6.

Analyze Questions. First, the examinee categorizes all 100 MBE questions into one of the six legal subject categories (contract law, tort law, constitutional law, criminal law/criminal procedure, federal rules of evidence, or real property law). If the examinee has adequately learned and reviewed the law covered by the MBE and has practiced the Rigos Subject Categorization Process, a quick scan of the “call of the question” (the question at the end of the fact pattern) and/or the four MBE answer rationales (given after

³ Jeff Scheiner, current BarBri instructor so stated in class open to the public on February 21, 2010 in San Francisco, California at Golden Gate Law School.

A, B, C, and D), should readily reveal the question's legal subject category. Each question number is recorded under its legal subject category.

After categorizing each of the 100 MBE questions this way, the MBE's test booklet sequence is transformed into six groups of questions with each group containing questions only in the same legal subject category.

One embodiment for recording categorization information is to create a chart on paper with six columns for each of the six legal subject categories and blank rows for question numbers under each column. Column headings may be abbreviated by using, for example, K for contract law, T for tort law, P for real property law, E for federal rules of evidence, CN for constitutional law, and CR for criminal law and procedure. See Figures 1 and 2 below for an example of a completed categorization chart.

A second embodiment is to select six areas on paper to write the question numbers, with each area containing question numbers corresponding to one of the six legal subject areas.

A third embodiment is to mark each question's legal subject category next to each question number in the MBE Question Book.

Allocate time. Next, the examinee should determine the amount of time to spend answering each group of questions. The examinee should subtract the amount of time allocated at the end of the exam to transfer answers to the MBE answer bubble sheet or for other review, from the time remaining for the exam. This remaining time should be allocated for reading and answering MBE questions from each of the six categories.

One embodiment divides the remaining time into six equal periods. During each period, the examinee then selects a single subject category and answers all MBE question numbers listed under that category (e.g., K, or contract law). This provides the examinee 25-27 minutes for answering all questions in a subject category, with 15 minutes allocated for creating the categorization chart at the beginning of the MBE and 15 minutes for transferring answers to the MBE answer bubble sheet at the end of the exam.

The legal subject categories should be worked in an order to allow the examinee to be most productive, which may be best determined by the examinee while practicing the subject categorization method in preparation for the MBE exam. One embodiment calls for starting with the examinee's best subject to build confidence and to create momentum for the remainder of the exam.

Answer Questions. After completing the categorization, the examinee selects a legal subject category and starts to answer questions. All of the questions in the category should be answered before moving on to the next subject category. This applies even if the examinee is not completely certain of the exact details of the central issue being tested. For each question, the examinee's selected answer rationale for the question, either A, B, C, or D should be identified. In one embodiment, this identification occurs

by circling the correct answer rational choice in the MBE question book, to be transferred to the bubble sheet at the end of the exam, and a line is drawn through the corresponding question number. See Figure 3.

If the examinee is unsure of the correct answer rationale alternative, then the examinee should first eliminate wrong alternatives. Usually the examinee will identify two likely answer rationales. If more than 20-30 seconds have been spent working on the question, the examinee should commit to an answer. There may not be enough time to spend second-guessing, so the question may immediately answered. The examinee should (1) mark the answer rationale choice in the MBE question book, for example by circling the answer, and (2) mark the question with a symbol indicating the examinee is unsure of the answer, for example, placing “?” next to question number. An embodiment is shown in Figure 3. The examinee may also apply the default rules, described below, if unsure of the answer.

While answering questions within a category, if a question jogs the examinee’s memory or gives a new perspective on the correct answer for a previous question in that same category, the examinee may go back to that previous question and correct the answer.

After going through all questions in the subject category once, the examinee should look at the time remaining from the time the examinee has allotted to that category and divide that remaining time by the number of questions that have been marked as unsure. For example, those questions that are marked with a “?” on the categorization chart.

The examinee should then allocate that divided subject time left to review marked questions to determine if anything new has been identified in the question. If the examinee has identified something new with that question, then the correct answer rational should be noted, for example circled in the question book. However, if the examinee is still uncertain, and nothing new has been identified, the original answer should not be changed because it usually represents the examinee’s best intuitive guess.

Transfer answers to the MBE answer bubble sheet. A mistake in marking the right question number and answer choice on the answer bubble sheet can be fatal to passing the MBE. In the Rigos system, examinees circle the answer rational in the MBE question book as each question is answered. Once all 100 MBE questions in the session have been answered, these answers should be transferred to the answer bubble sheet in order to be scored. Examinees should pay careful attention when transferring circled choices. Sufficient time should be allocated at the end of the exam for the examinee to successfully complete this transfer. A good way for the examinee to determine the amount of time required is to practice the subject categorization method while taking practice MBE exams.

Advantages of the Rigos Subject Categorization

The subject categorization method results in improved MBE scores because it significantly reduces the number of shifts of mental focus the examinee must make between legal subject categories during the exam session, from as many as 99 down to just six. Using this method, the examinee will spend approximately 25-27 minutes of contiguous time on just one of the six legal subject categories, intellectually contemplating the depth and nuances of just that one subject. Other questions answered in the category will reinforce and expand the examinee's recall of the subject material. The result is greater concentration, accuracy, speed in answering questions, and decreased mental fatigue for the examinee. Questions will be answered more quickly and with greater certainty.

This new system is valuable because it increases student right-answer performance and since many students fail by only a few points, the use could be outcome determinant. It is not obvious because none of the other Providers train their students to use the system. Related is that this is not merely an incremental advancement of prior art but rather a new way of approaching the MBE.

“Default Rules” When Unsure of the Answer

Some MBE subjects contain very challenging topics. Examples are future interests in property and some Article 2 of the Uniform Commercial Code remedies in sales contracts. It may not be efficient to spend the time necessary to analyze completely certain questions. Every question is worth one point and the candidate may still be uncertain after expending considerable effort. By eliminating wrong answers, the candidate can usually reduce the choice to two alternatives and use the following default rules as a logical basis for an educated guess. Figure 7 shows an embodiment of applying default rules.

- 1. Longest Alternative:** Everything else being equal, a longer narrative alternative is slightly more likely to be the correct answer than a shorter alternative.
 - a. Rational:** A correct answer usually must contain all the required elements and reasoning of the governing black letter law necessary for the best choice. This concept favors the more detailed and longer alternative over a shorter fragmented choice.
 - b. Exception:** Still there have been questions in which the right answer was only one word, such as “innocent” or “battery.” Typically, the other alternatives in such a question involve incorrect or incomplete rationales.
- 2. Central Issue:** Generally, the more precise the focus on the central issue, the better the choice; vagueness is not encouraged in black letter law applications. The three incorrect alternatives in such a question will contain distracters to create confusion.

3. **Easier to Prove:** An answer choice that is easier to prove factually is preferable over one with more complicated legal requirements.
4. **Opposite Answer:** If only two of the four alternatives are opposite (e.g., “P wins because...” as contrasted with “P loses because...”), one of the two opposites is likely to be the best answer to the question. This rule would also apply if a similar rationale supports opposite answer outcomes (e.g., “P wins because...” as opposed to “D wins because ...”).
5. **More Than One Legal Subject:** An answer that includes another legal subject is usually wrong. Questions infrequently have crossovers between subjects, so an answer covering two legal subject areas is unlikely to be the best answer.
6. **Eliminating Wrong Answers:** The NCBE is very skillful at creating attractive distracters that may lead a student to wrong answers. It is helpful to know the three common reasons why an MBE answer alternative is wrong:
 - a. **Legal Rule Misstatement:** The statement of the rule is wrong or, more likely, incompletely states the legal principle. For example, a key requirement of a rule is intentionally omitted, such as the Defendant’s *scienter* required to prove fraud.
 - b. **Factual Misstatement:** The facts required to support the choice are not stated in the fact pattern. An example is the “firm offer by a merchant” rule where the facts are silent as to whether there was a writing or the seller deals in those goods. An alternative’s facts may also go clearly and impermissibly beyond what is required by the question. Occasionally, the facts of the alternative directly contradict the facts in the question. The alert candidate will read and synthesize the facts carefully.
 - c. **Legal or Factual Irrelevancy:** The law or facts in an alternative answer are accurate, but do not focus on the central determinant concern of the question. For instance, the question involves an element of law that P must prove in court to establish a *prima facie* case, thus avoiding a summary judgment of dismissal or directed verdict, but the alternative answer focuses on less relevant facts that do not answer the question.

Practicing the Subject Categorization Process

Repeated practice constructing and using the categorization chart system prior to taking the MBE exam is essential for getting the full benefit from the subject categorization method. For example, a legible categorization chart must be constructed, as quickly as possible that is large enough and organized well enough for easy use. If “scratch” paper is not allowed on the MBE exam in that state, a cover page of the MBE question book can be used to construct the categorization chart.

It is important that examinees quickly and accurately categorize each of the 100 MBE questions in the session while filling out the categorization chart. The quicker the examinee creates the chart, the more time is left for answering questions. Typically, an examinee can determine the legal subject category of the question by glancing at (1) the “call” of the question that appears after the fact pattern and above the answer rational choices, and (2) the answer rational choices themselves.

The examinee should practice the subject categorization process to gain a higher comfort level in spending several minutes up front creating the categorization chart. This is particularly true if the examinee is likely to become nervous when discussing the process with other MBE exam takers who are not familiar with the process, or if the examinee sees other MBE exam takers begin to answer questions immediately.

The following are examples of MBE question calls and answer rationales that reveal legal subject categories.

Contracts (K):

- Which of the following is correct? (A) P is bound to a contract because.... (B) P is not bound to a contract because... (C) P would be bound to a contract if... (D) If P had sold the boat without J’s knowledge...P would still be bound.
- In which of the following situations will B prevail over S if S does not deliver the assembled widgets on the specified date?
- Which of the following is A’s best defense against D’s assertion that A is legally bound by the option?
- The carrier delivering the goods was hijacked on the way to Norwalk. Who bears the risk of loss?
- What is the best argument for enforcement of the contract? (A) Promissory Estoppel. (B) Judicial Estoppel. (C) Laches. (D) Equitable Estoppel.

Torts

- If Laura sues Nancy for conversion, the likely result is that Laura will...
- If S brings an action for contribution and indemnity against N, the likely outcome is...
- If N sues H for damages, the likely outcome is that the suit will (A) Prevail for strict liability for serving spoiled meat. (B) Not prevail unless H’s conduct was in reckless disregard.... (C) Not prevail because N was a social guest... (D) Prevail if H was negligent

Property

- Will the lease assignment be enforced by the court? **(A)** No, because the term subletting includes all types of assignments. **(B)** No, because without an express prohibition... **(C)** Yes, because restraints on alienation of property rights are not enforceable. **(D)** Yes, because restraint on subletting does not include assignment.
- In a lawsuit over the title to the farm who should win? **(A)** C who was first to record. **(B)** D because if C only had a quitclaim deed, there was no guarantee to title. **(C)** C, if he paid value for the land. **(D)** D, because he had no notice of prior conveyance.
- What answer best describes what happens to the ovens and hoods when the lease expires?
- In the ensuing litigation, what is the likely result? **(A)** The court will rule that C is a trespasser. **(B)** The court will rule that C has an easement under the doctrine of necessity. **(C)** The court will rule that C has an easement under the doctrine of prescription. **(D)** The court will rule that C has a property right under adverse possession.

Evidence

- Is the manager's testimony admissible?
- May Paul tell the jury the driver's statement Paul heard?
- Client offers the invoice into evidence and the attorney objects. What result?
- What is the best reason for admissibility?

Constitutional Law

- ...Compcar, Inc, a minor car manufacturer, seeks to enjoin enforcement of the Commission's rules. The best argument that Compcar can make is that **(A)** Legislative power may not be delegated by Congress to an agency in the absence of clear guidelines. **(B)** The commerce power does not extend to the manufacture of automobiles not used in interstate commerce. **(C)** Compcar is denied due process of law because it is not represented on the Commission. **(D)** The commission lacks authority to enforce its standards because not all of its members were appointed by the president.
- If this decision is appealed as unconstitutional, the likely outcome is: ...
- The court will likely: **(A)** Deny the motion because the independence of the federal judiciary is constitutionally guaranteed. **(B)** Grant the motion, because Gibson was not given Article III protection. **(C)** Deny the motion, because Gibson had a property right to his government employment. **(D)** Grant the motion as Gibson lacked standing to bring suit.

Criminal Law and Procedure

- Charged with kidnapping, Molly will likely be ...
- The information filed by the prosecuting attorney is improper because...
- A motion to suppress Van's confession should be **(A)** Granted because he was not administered proper Miranda warnings. **(B)** Denied, because he waived his Miranda rights. **(C)** Granted, because he was coerced by his cellmate. **(D)** Denied, because he confessed voluntarily.

Practice with "Make Your Own Exams(tm)"

The Subject Categorization Process can be practiced by students by using the Rigos Make Your Own Exams software. This software offers students their choice of creating an MBE practice set consisting of 20 to 100 questions. The program randomly pulls questions from Rigos' large sample MBE style question library of around 2,000 questions on all six subjects. Student should begin with fewer questions, ultimately building to 100 questions for the practice set. To simulate categorizing the entire MBE session, the student can select 100 questions from Make Your Own Exams software. These questions should be printed out and the entire set should be completed within three hours while using the Rigos Subject Categorization Process.

MARK: MBE Secret Weapon (Standard Characters, mark.jpg)

The literal element of the mark consists of MBE Secret Weapon.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

We have received your application and assigned serial number '77968709' to your submission. The summary of the application data, *bottom below*, serves as your official filing receipt. In approximately 3 months, an assigned examining attorney will review your application. Currently, your mark is not registered, but rather is considered a "pending" application. The overall process, from the time of initial filing to final registration, can take 13-18 months or even longer, depending on many factors; *e.g.*, the correctness of the original filing and the type of application filed.

If you discover an error in the application data, you may file a Voluntary Amendment, at <http://www.uspto.gov/teas/eTEASpageF.htm>. Do **not** submit any proposed amendment to TEAS@uspto.gov, because the technical support team may not make any data changes. **NOTE:** You must wait approximately 7-10 days to submit any Voluntary Amendment, to permit initial upload of your serial number into the USPTO database. The acceptability of any Voluntary Amendment will only be determined once regular examination begins, since the assigned examining attorney must decide whether the change proposed in the amendment is permissible. Not all errors may be corrected; *e.g.*, if you submitted the wrong mark, if the proposed correction would be considered a material alteration to your original filing, it will not be accepted, and your only recourse would be to file a new application (with **no** refund for your original filing).

Since your application filing has already been assigned a serial number, please do **not** contact TEAS@uspto.gov to request cancellation. The USPTO will only cancel the filing and refund your fee if upon review we determine that the application did not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration. **NOTE:** The only "exception" to the above is if you inadvertently file duplicate applications specifically because of a *technical glitch* and not merely a misunderstanding or mistake; *i.e.*, if you believe that the first filing did not go through because no confirmation was received and then immediately file again, only to discover later that both filings were successful, then the technical support team at TEAS@uspto.gov can mis-assign and refund one of the filings.

NOTE: To check status, please use <http://tarr.uspto.gov>. Do **not** submit status requests to TEAS@uspto.gov. You should check status at the 6-month point after filing, and every two months thereafter, to ensure you are aware of any action that the Office may have issued. Failure to respond timely to an action will result in abandonment of your application. You can view all incoming and outgoing correspondence at <http://portal.uspto.gov/external/portal/tow>. If your status check reveals an action has issued that you did not receive, please immediately check the on-line site to view the action. The USPTO does not extend filing deadlines due to a failure to receive USPTO

mailings/e-mailings. You must ensure that you update your record if your mail and/or e-mail address changes, using the form available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

WARNING: You may receive unsolicited communications from companies requesting fees for trademark related services, such as monitoring and document filing. Although solicitations from these companies frequently display customer-specific information, including USPTO serial number or registration number and owner name, companies who offer these services are not affiliated or associated with the USPTO or any other federal agency. The USPTO does not provide trademark monitoring or any similar services. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult the USPTO website.

APPLICATION DATA: Trademark/Service Mark Application, Principal Register TEAS Plus Application

The applicant, Rigos Professional Education Programs, LTD., a corporation of Washington, having an address of
230 Skinner Building; 1326 Fifth Avenue
Seattle, Washington 98101
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Educational services, namely, conducting review course instruction in preparing individuals to take standardized professional certification and licensing examinations in the field of State and National Bar, and Accountancy examinations and distribution of printed materials in connection therewith in hard copy or electronic format on the same topics; Educational services, namely, providing instruction in preparing individuals to take standardized professional certification and licensing examinations in the fields of State and National Bar, and Accountancy examinations.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

Correspondence Information: Rigos Professional Education Programs, LTD.

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trademarks@rigos.net (authorized)

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Steven Robert Blair/ Date: 03/25/2010
Signatory's Name: Steven Robert Blair
Signatory's Position: Trademark Administrator

Thank you,

The TEAS support team
Thu Mar 25 16:44:35 EDT 2010
STAMP: USPTO/FTK-24.19.173.131-20100325164435452700-77968709-
46056347d5bbcc518bb807c33cacce4522-CC-3123-20100325163025685032